

## UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/942,252         | 08/28/2001          | Messier               | GENO 200.2/CIP         |

CONFIRMATION NO. 6811

## FORMALITIES LETTER



\*OC00000006988764\*

25871  
SWANSON & BRATSCHUN L.L.C.  
1745 SHEA CENTER DRIVE  
SUITE 330  
HIGHLANDS RANCH, CO 80129

Date Mailed: 10/29/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01/14/2002 AGOITON 00000063 195117 09942252

FILED UNDER 37 CFR 1.53(b)

~~01 FC:581~~~~40.00 OP~~

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$908.
 

|                    |          |        |           |
|--------------------|----------|--------|-----------|
| 01/14/2002 AGOITON | 00000063 | 195117 | 09942252  |
|                    |          |        | 65.00 OP  |
|                    |          |        | 54.00 OP  |
|                    |          |        | 420.00 OP |
|                    |          |        | 335.00 OP |
|                    |          |        | 35.00 CH  |

  - \$108 for 6 total claims over 20.
  - \$800 for 10 independent claims over 3.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1748.**
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR

1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

**For questions regarding compliance to these requirements, please contact:**

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)**

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*A copy of this notice **MUST** be returned with the reply.*

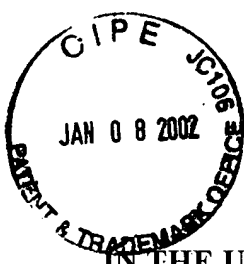


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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Attorney Docket No. GENO 200.2/CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: MESSIER ET AL.  
SERIAL NO.: 09/942,252  
FILED: August 28, 2001  
TITLE: METHODS TO IDENTIFY  
POLYNUCLEOTIDE AND  
POLYPEPTIDE SEQUENCES  
WHICH MAY BE ASSOCIATED  
WITH PHYSIOLOGICAL AND  
MEDICAL CONDITIONS

EXAMINER:  
ART UNIT:  
CNFRM NO.: 6811

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Box: Missing Part

Dear Sir:

**REPLY TO NOTICE TO FILE MISSING PARTS**

1. The applicant hereby replies to the "Notice to File Missing Parts of Nonprovisional Application," mailed October 29, 2001. Part 2 of the Notice is enclosed. In reply to the Notice, the applicant submits:

- (a) the basic filing fee of \$355.00;
- (b) additional claims fee of \$454.00;
- (c) surcharge fee of \$65.00;
- (d) assignment recordation fee of \$40.00;
- (e) a combined declaration and power of attorney signed by the inventors;
- (f) assignment and assignment recordation form cover sheet;
- (g) copy of raw sequence listing error report;
- (h) statement under 37 C.F.R. § 1.821(f); and
- (i) paper and disk copies of the sequence listing.

2. Enclosed is a check for \$914.00. The check covers the filing fee (\$355.00), the additional claims fee (\$454.00), the surcharge (\$65.00), and the fee for recording the assignment (\$40.00).

37 CFR 1.8

**CERTIFICATE OF MAILING**

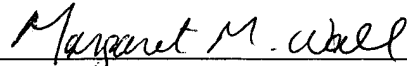
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231 on November 14, 2001

Signature: 

Name: Cindy Bennett

The undersigned hereby authorizes the charge of any required fees not included or any deficiency of fees submitted herewith to be charged to deposit account No. 19-5117.

Respectfully submitted,



---

Margaret M. Wall, \$33,462  
Swanson & Bratschun, L.L.C.  
1745 Shea Center Drive, Suite 330  
Highlands Ranch, Colorado 80129  
(303) 268-0066



Section  
Box-seq

PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ ) 914.00

## Complete if Known

|                      |                 |
|----------------------|-----------------|
| Application Number   | 09/942,252      |
| Filing Date          | August 28, 2001 |
| First Named Inventor | Messier, et al. |
| Examiner Name        |                 |
| Group Art Unit       | Cnfrm #6811     |
| Attorney Docket No.  | GENO200.2/CIP   |

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge \*  
~~XXXXXXX~~ and credit any overpayments to:
- Deposit Account Number: 19-5117 \* any deficiency
- Deposit Account Name: Swanson & Bratschun, LLC
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☒ Applicant claims small entity status. See 37 CFR 1.27
2. ☒ Payment Enclosed:
- ☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

| 1. BASIC FILING FEE |               |               |               |                        |              |
|---------------------|---------------|---------------|---------------|------------------------|--------------|
| Large Entity        |               | Small Entity  |               | Fee Description        | Fee Paid     |
| Fee Code (\$)       | Fee Code (\$) | Fee Code (\$) | Fee Code (\$) |                        |              |
| 101                 | 710           | 201           | 355           | Utility filing fee     | \$355.00     |
| 106                 | 320           | 206           | 160           | Design filing fee      |              |
| 107                 | 490           | 207           | 245           | Plant filing fee       |              |
| 108                 | 710           | 208           | 355           | Reissue filing fee     |              |
| 114                 | 150           | 214           | 75            | Provisional filing fee |              |
| SUBTOTAL (1)        |               |               |               |                        | (\$ ) 355.00 |

| 2. EXTRA CLAIM FEES |               |               |               |  |              |
|---------------------|---------------|---------------|---------------|--|--------------|
| Large Entity        |               | Small Entity  |               | Fee Description  | Fee Paid     |
| Fee Code (\$)       | Fee Code (\$) | Fee Code (\$) | Fee Code (\$) |  |              |
| 103                 | 18            | 203           | 9             | Claims in excess of 20                                     |              |
| 102                 | 80            | 202           | 40            | Independent claims in excess of 3                          |              |
| 104                 | 270           | 204           | 135           | Multiple dependent claim, if not paid                      |              |
| 109                 | 80            | 209           | 40            | ** Reissue independent claims over original patent         |              |
| 110                 | 18            | 210           | 9             | ** Reissue claims in excess of 20 and over original patent |              |
| SUBTOTAL (2)        |               |               |               |  | (\$ ) 454.00 |

\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

| 3. ADDITIONAL FEES                |               |               |               |  |             |
|-----------------------------------|---------------|---------------|---------------|--|-------------|
| Large Entity                      |               | Small Entity  |               | Fee Description  | Fee Paid    |
| Fee Code (\$)                     | Fee Code (\$) | Fee Code (\$) | Fee Code (\$) |  |             |
| 105                               | 130           | 205           | 65            | Surcharge - late filing fee or oath  | \$65.00     |
| 127                               | 50            | 227           | 25            | Surcharge - late provisional filing fee or cover sheet                     |             |
| 139                               | 130           | 139           | 130           | Non-English specification  |             |
| 147                               | 2,520         | 147           | 2,520         | For filing a request for <i>ex parte</i> reexamination                     |             |
| 112                               | 920*          | 112           | 920*          | Requesting publication of SIR prior to Examiner action                     |             |
| 113                               | 1,840*        | 113           | 1,840*        | Requesting publication of SIR after Examiner action                        |             |
| 115                               | 110           | 215           | 55            | Extension for reply within first month                                     |             |
| 116                               | 390           | 216           | 195           | Extension for reply within second month                                    |             |
| 117                               | 890           | 217           | 445           | Extension for reply within third month                                     |             |
| 118                               | 1,390         | 218           | 695           | Extension for reply within fourth month                                    |             |
| 128                               | 1,890         | 228           | 945           | Extension for reply within fifth month                                     |             |
| 119                               | 310           | 219           | 155           | Notice of Appeal   |             |
| 120                               | 310           | 220           | 155           | Filing a brief in support of an appeal                                     |             |
| 121                               | 270           | 221           | 135           | Request for oral hearing   |             |
| 138                               | 1,510         | 138           | 1,510         | Petition to institute a public use proceeding                              |             |
| 140                               | 110           | 240           | 55            | Petition to revive - unavoidable   |             |
| 141                               | 1,240         | 241           | 620           | Petition to revive - unintentional   |             |
| 142                               | 1,240         | 242           | 620           | Utility issue fee (or reissue)   |             |
| 143                               | 440           | 243           | 220           | Design issue fee   |             |
| 144                               | 600           | 244           | 300           | Plant issue fee  |             |
| 122                               | 130           | 122           | 130           | Petitions to the Commissioner  |             |
| 123                               | 130           | 123           | 130           | Petitions related to provisional applications                              |             |
| 126                               | 180           | 126           | 180           | Submission of Information Disclosure Stmt                                  |             |
| 581                               | 40            | 581           | 40            | Recording each patent assignment per property (times number of properties) | \$40.00     |
| 146                               | 710           | 246           | 355           | Filing a submission after final rejection (37 CFR § 1.129(a))              |             |
| 149                               | 710           | 249           | 355           | For each additional invention to be examined (37 CFR § 1.129(b))           |             |
| 179                               | 710           | 279           | 355           | Request for Continued Examination (RCE)                                    |             |
| 169                               | 900           | 169           | 900           | Request for expedited examination of a design application                  |             |
| Other fee (specify)               |               |               |               |  |             |
| *Reduced by Basic Filing Fee Paid |               |               |               |  |             |
| SUBTOTAL (3)                      |               |               |               |  | (\$ ) 40.00 |

|                   |                         |                                   |                   |
|-------------------|-------------------------|-----------------------------------|-------------------|
| SUBMITTED BY      |                         | Complete (if applicable)          |                   |
| Name (Print/Type) | Margaret M. Wall        | Registration No. (Attorney/Agent) | 33,462            |
| Signature         | <i>Margaret M. Wall</i> | Telephone                         | 303-268-0066      |
|                   |                         | Date                              | November 14, 2001 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.